

**City of Williamsburg
210 West State Street
PO Box 596
Williamsburg, IA 52361**

Regular Session
July 22, 2002
7:30 p.m.

Mayor Armstrong and council members Kirkpatrick, Phillips, Greiner, Von Ahsen and Wanner were present.

The sidewalk in front of the post office is complete other than minor changes.

Residents of Circle Terrace presented a petition against installing sidewalks. The council has no intention of forcing sidewalk placement at this time.

Chuck Shaull presented a plan and estimate for constructing two new soccer fields at the sports complex. Recreation Director, Tammy Sinn, has discussed this with WRA and they do not feel there is a need for them at this time.

Public Work Director, Delbert Clubb will talk with Keith Nissley regarding nuisance trailer at 2559 245th St.

Public Works department will make immediate repairs to Elm St. sanitary sewer going into the alley between Court and Elm, which has collapsed. City Engineer, Jim Jacob, will prepare plans and specs for a possible project.

Recreation Director, Tammy Sinn, reports Aquatic Center is running smoothly. The Recreation Center is progressing well and may open around the first of September.

They are working on the punch list for the Franklin Street Extension project.

There has been no response from McDonald's regarding their water usage concern.

City Attorney, Eric Tindal, has sent a response to the Tom Buchanan regarding the revisions requested for the 28E agreement with the Williamsburg School District.

The city council has reviewed the suggested revisions to the 28E Agreement with the Williamsburg School District and has the following responses to those request:

1. The city would not agree to eliminate the 15-year window. If the city terminates the agreement with the 15-year window, the facility would revert back to the foundation and the city would lease the land back to the foundation. If the city maintains the facility for 15 years the city will own the facility whether or not the 28E agreement is in effect.
2. If the school terminates the agreement and the facility is the property of the city, the city will not allow the school to continue to name four members to the Foundation board.
3. Paragraph 10 provides that if the "School terminates this Agreement, the City may, at its option, assume total responsibility for the Facility". I believe what that sentence is

stating is that yes, the city assumes total responsibility for the Facility except during the times it is being used by the School. Should the school terminate the agreement the City may at its option assume total responsibility for the facility.

4. If the city terminates the agreement after 15 years, the city will retain the facility but agrees to lease to the foundation and/or school for a nominal fee so long as the property is maintained at either the foundation or school's sole expense.
5. The city would also like to have the following added to paragraph 10: "Failure to approve recommended cost of lease fee by either the school or the city shall be considered a termination of this agreement by the entity failing to approve the recommended fee."

1. Motion by Phillips and seconded by Kirkpatrick to approve the consent agenda:

- a. Minutes of July 8, 2002 council meeting
- b. Bills as presented
- c. Burg Bowl Beer Permit

2. Motion by Phillips and seconded by VonAhsen to approve resolution 23-7-02 to accept Prelim & Final Plat Wiebold Addition subject to changing Oak St. to Welsh St. and adding "at the time that the ditches are filled, sidewalk must be installed by property owners". Roll Call: ayes; TP, MG, GV, DK, nay; GW. Motion carried.

3. Motion by Kirkpatrick and seconded by Von Ahsen to open a public hearing at 8:15 p.m to issue eleven million dollars in bonds to Independent and Assisted Living Facility, in the name of Williamsburg Retirement Community, Inc. Project. All ayes. Motion carried

4. Motion by Wanner and seconded by Von Ahsen to close the public hearing at 8:16 p.m. All ayes. Motion carried.

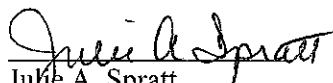
5. Motion by Kirkpatrick and seconded by Wanner to approve resolution 24-7-02 to issue eleven million dollars in bonds to Independent and Assisted Living Facility, in the name of Williamsburg Retirement Community, Inc. Project. Roll Call: ayes; GV, MG, TP, DK, GW. Motion carried.

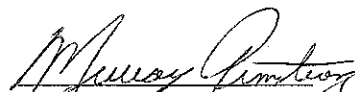
6. Motion by Phillips and second by Kirkpatrick to go into close session at 8:44 p.m., per Iowa Code 21.5 1J, to discuss possible purchase of land.

7. Motion by Von Ahsen and second by Greiner to come out of close session at 9:14 p.m.

8. Councilman Wanner will talk with the Fire Dept. to see what other buildings locations they may have to consider.

9. Motion by Greiner and second by Kirkpatrick to adjourn at 9:21 p.m. All ayes. Motion carried.


Julie A. Spratt
Office Assistant


Murray Armstrong, Mayor

DATE 7/18/2002

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

PAGE 1

ACCO	LIQUID CHLORINE	277.20
ATEIT	PHONE BILLS	211.57
BEN FRANKLIN	SEWER SUPPLIES	6.89
CAPITAL SANITARY SUPPLY	AQUATIC CTR TRASH CONTAI	119.20
COX SANITATION & RECYCLI	2ND 1/2 7/02 ALLOCATION	3,125.00
DANS OVERHEAD DOORS & MO	SHOP DOOR REPAIR	24.15
DELTA DENTAL PLAN OF IOW	8/02 PREMIUM	966.98
FIRST AMERICAN WEALTH WA	\$1,115,000 BOND INTEREST	16,043.34
FRITO LAY INC	#04525236 LESS CREDIT AQ	74.95
	AQUATIC CONCESSIONS 0452	105.96
	MILEAGE 7/6-7/19	51.10
GABRIEL, NICK	SUBSCRIPTION	236.95
GAZETTE COMMUNICATIONS I	#482903 CHLORINE	427.50
HAWKINS INC	PAY REQUEST #5-FRANKLIN	6,038.16
HEUER CONSTRUCTION INC	LEAGUE MFG-JEN	140.00
IOWA LEAGUE OF CITIES	6/02 LOCATES	12.60
IOWA ONE CALL	THEME PARK TICKETS	622.50
IOWA PARK & RECREATION A	668 9733 REC CONCESSION	37.05
IOWA TELECOM	RIVER ROCK - AQUATIC CEN	178.92
J & S FARM SUPPLY	SPREADER	2,200.00
JIM ELWOOD IMPLEMENT	COPIER MAIN/ 4/02-6/02	199.32
KOCH BROTHERS	AQUATIC CTR #28247, #2824	2,199.32
LA REY'S	CITY HALL MATS #27194	51.30
	AQUATIC CNTR MOPS/MAT 02	21.02
	SLUSH-AQUATIC CONC 81883	215.96
	FIREWORKS INS	867.00
	COUNCIL PROCEEDINGS	265.09
	BD OF ADJ	11.07
	FARMERS MARKET AD	42.00
	ORDINANCE #473	22.95
	AMEND ORD DEFINITIONS	15.03
	RETIREMENT COMM BONDS	21.08
	ADULT SWIM	15.75
	H2O AEROBICS	63.00
	AQUATIC GRAND OPENING	102.38
	HOLIDEN/THANK YOU	47.25
	DISCOUNT THEME PARK TICK	102.38
	WATER SUPPLIES	8.80
	#186025804 AQUATIC CTR	640.60
	#1930252809 AQUATIC CTR	654.65
	OFFICE SUPPLIES	58.89
	POLICE PHONE	40.44
	WEED EATER/CHAIN SAW REP	370.57
	MILEAGE/SUPPLIES	58.19
	TYPEWRITER RIBBONS	20.00
	INS REIMB/MILEAGE (376 M	272.69
	#222463 AQUATIC CTR	87.13
	SEWER TEST	340.20
	EDGING 2 LARGE FIELDS	385.00
	WATERING FRANKLIN ST PRO	1,137.50
	CAPPERS LIFT STATION SPR	7.00
	SPORTS COMP 6/02 MOWING	1,912.50
	PARKS GRAVEL	1,132.37
	6/02 QUARTERLY SALES TAX	1,765.80

LARUE DISTRIBUTING INC
LILLIS INSURANCE AGENCY
MPC NEWSPAPERS

NISSLEY WELDING INC
PEPSI COLA GEN BOT INC
OULLI CORP
QWEST
R & D MOTOR & MACHINE
SINN, TAMMY
STEVE'S TYPEWRITER
STUKEY, STUART N
SYSCO FOOD SERVICES
TESTAMERICA INC
TNT LANDSCAPING

TREASURER STATE OF IOWA

DATE 7/18/2002

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

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VAN WINKLE JACOB ENG	6/02 REC DEPT SALES TAX	1,462.20
	REC CNTR INSPECTION	1,192.50
	POST OFFICE INSPECTION	90.00
	FRANKLIN ST	5,072.05
	COURT ST REPAIR PRJCT	292.50
VERNON CO, THE	500 TUMBLERS AQUATIC CTR	200.10
WELLMARK	8/02 PREMIUM	8,379.28
WILLIAMSBURG LUMBER STOR	CITY HALL/COMPLEX REPAIR	124.59

DATE 7/18/2002

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

PAGE 3

GRAND TOTALS EXPENDED 57,704.54

LIQUID ACCRUAL

RECAP TOTALS		FUND TOTALS	
01	GENERAL	18,376.74	EXPENDED
06	ROAD USE TAX	798.58	LIQUID
08	LIBRARY	1,460.34	ACCRUAL
11	DEBT SERVICE	16,043.34	
31	CAPITAL IMPROVEMENTS	1,575.00	
39	FRANKLIN STREET EXTENSION PROJEC	12,247.71	
51	WATER	3,377.36	
52	SEWER	3,825.47	
	*****	57,704.54	

Marcia Stevens

[Signature]

[Signature]

[Signature]

[Signature]

RESOLUTION 23-7-02

Resolution approving preliminary and final plat.

WHEREAS, the preliminary and final plat of Wiebold's Addition was presented to the Williamsburg Planning and Zoning Commission on Monday, October 22, 2001 for approval and;

WHEREAS, the Williamsburg Planning and Zoning Commission made a recommendation to the Williamsburg City Council to approve the Preliminary and Final Plat of Wiebold's Addition and;

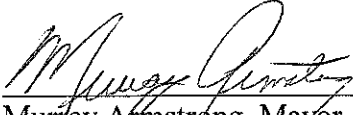
WHEREAS, we, Murray Armstrong, Mayor, and Jenifer J Karsten, City Clerk of the City of Williamsburg, Iowa do hereby certify that the following Resolution was adopted (introduced by Phillips and seconded by VonAhsen 4 aye, 1 nay) by the City Council of the City of Williamsburg, Iowa at a meeting held on the 22nd day of July 2002, five members of the council present;

NOW THEREFORE, Be It Resolved by the City Council of the City of Williamsburg, Iowa as follows;

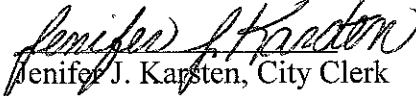
Section 1. The Preliminary/Final Plat of Wiebold's Addition to the City of Williamsburg, Iowa as filed with the City Clerk, should be and the same is hereby approved and accepted contingent upon changing Oak Street to Welsh Street and adding "at the time that the ditches are filled, sidewalk must be installed by property owners" and the Mayor and the City Clerk of said city be and they are hereby authorized and directed to certify the adoption of this Resolution as required by law.
Roll call vote: ayes; Kirkpatrick, VonAhsen, Greiner, Phillips, nay; Wanner.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved July 22, 2002.



Murray Armstrong, Mayor
City of Williamsburg, Iowa


Jenifer J. Karsten, City Clerk
City of Williamsburg, Iowa

NOTICE OF INTENTION TO ISSUE
INDEPENDENT AND ASSISTED LIVING FACILITIES REVENUE BONDS
(WILLIAMSBURG RETIREMENT COMMUNITY, INC. PROJECT)

The City Council of Williamsburg, Iowa, (the "Issuer") will meet on the 22nd day of July, 2002, at 8:15 o'clock p.m., at the City Hall in Williamsburg, Iowa, for the purpose of conducting a public hearing on the proposal to issue Independent and Assisted Living Facilities Revenue Bonds (Williamsburg Retirement Community, Inc. Project) of the Issuer, in one or more series, in an aggregate principal amount not to exceed \$11,000,000 (the "Bonds"), and to loan said amount to Williamsburg Retirement Community, Inc. (the "Borrower"), for the purpose of financing the costs of constructing and furnishing a housing complex containing approximately 50 independent living units and 51 assisted living units to be located at the southwest corner of the intersection of Cyclone Drive and Industrial Park Drive, Williamsburg, Iowa (the "Project") and paying for costs of issuance and certain other costs associated with the issuance of the Bonds.

The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer under one or more Loan Agreements between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place, oral or written objections from any resident or property owner of the Issuer may be presented. At such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at the Williamsburg City Hall, P.O. Box 596, Williamsburg, Iowa 52361-0596. Written comments must be received by the above hearing date.

By order of the City Council of Williamsburg, Iowa this 24th day of June, 2002.

Jenifer Karsten, City Clerk

FOR YOUR RECORDS

HEARING PROCEEDINGS

Williamsburg, Iowa

July 22, 2002

The City Council of Williamsburg, Iowa, met in regular session on July 22, 2002, at 7:30 o'clock p.m., at the City Hall in Williamsburg, Iowa. The meeting was called to order by the Mayor and the roll being called, there were present the Mayor and the following named Council Members:

Present: Phillips, Wanner, Greiner, Kirkpatrick, VonAhsen

Absent: _____

At 8:15 o'clock p.m. the Council investigated and found that notice of intention to issue Independent and Assisted Living Facility Revenue Bonds (Williamsburg Retirement Community, Inc. Project) in an aggregate principal amount not to exceed \$11,000,000 had, as directed by the Council, been duly given according to law.

This being the time and place specified in the notice for the conduct of a public hearing on the proposal to issue such Bonds, the Mayor announced that all local residents attending the hearing would now be given an opportunity to express their views for or against the proposal to issue the Bonds. The following local residents attending the hearing expressed their views as follows:

The following local residents who had submitted written comments prior to the hearing expressed their views in such written comments as follows:

After all local residents who appeared at the hearing who desired to do so had expressed their views for or against the proposal to issue the Bonds, Council Member Kirkpatrick introduced the following resolution and moved its adoption, seconded by Council Member Wanner; and after due consideration thereof by the Council, the Mayor put the question on the motion and upon the roll being called, the following named Council Members voted:

Ayes: Wanner, VonAhsen, Greiner, Phillips, Kirkpatrick

Nays: _____

Whereupon, the Mayor declared said motion duly carried and the resolution adopted as follows:

RESOLUTION 24-7-02

RESOLUTION RELATING TO THE HOLDING OF A PUBLIC HEARING AND APPROVING PROCEEDINGS FOR THE ISSUANCE AND SALE OF INDEPENDENT AND ASSISTED LIVING FACILITY REVENUE BONDS (WILLIAMSBURG RETIREMENT COMMUNITY, INC. PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$11,000,000

WHEREAS, the City of Williamsburg, State of Iowa (the "Issuer"), is a City authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2001, as amended (the "Act"), to issue revenue bonds for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein to be located either within or within eight miles of the corporate limits of the Issuer, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization"); and

WHEREAS, the Issuer has been requested by Williamsburg Retirement Community, Inc. (the "Company") to issue its Independent and Assisted Living Facility Revenue Bonds (Williamsburg Retirement Community, Inc. Project), in an aggregate principal amount not to exceed \$11,000,000 (the "Bonds") pursuant to the Act for the purpose of financing the costs of constructing and furnishing a housing complex containing approximately 50 independent living units and 51 assisted living units to be located at the southwest corner of the intersection of Cyclone Drive and Industrial Park Drive, Williamsburg, Iowa (the "Project"), and paying for costs of issuance and certain other costs associated with the issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Company under a Loan Agreement between the Issuer and the Company, the obligations of which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall be due and payable; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, notice of intention to issue the Bonds has, as directed by the City Council of the Issuer, been duly given in compliance with the Act and Section 147(f) of the Internal Revenue Code; and

WHEREAS, a public hearing has been held on the proposal to issue the Bonds at the time and place as specified in said notice and all objections or other comments relating to the issuance of the Bonds have been heard;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Issuer, as follows:

Section 1. It is hereby determined it is necessary and advisable that the Issuer proceed with the issuance of the Bonds, as authorized and permitted by the Act, and loan the proceeds of the sale of the Bonds to the Company, all upon terms and conditions mutually satisfactory to the Issuer and the Company.

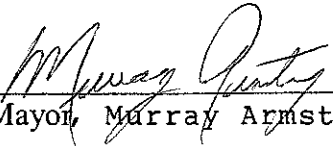
Section 2. At the public hearing conducted by the Council, pursuant to published notice, all persons who appeared were given an opportunity to express their views for or against the proposal to issue the Bonds.

Section 3. The Council shall proceed with the necessary proceedings relating to the issuance of the Bonds as soon as the required documentation has been prepared by Bond Counsel, and approved by the City Attorney of the Issuer or its special counsel.

Section 4. The Bonds, if issued, and the interest thereon, will be payable solely out of the revenues derived from the Loan Agreement and the Project, and shall never constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation and shall not constitute nor give rise to a pecuniary liability of said Issuer or a charge against its general credit or taxing powers. All costs and expenses incident to the issuance and sale of the Bonds, including, but not limited to, accounting, legal, special counsel, and Bond Counsel fees, printing fees and filing fees, shall be paid from Bond proceeds or directly by the Company.

Section 5. All resolutions and orders or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall be in full force and effect immediately upon its adoption.

Passed and approved July 22, 2002.



Mayor, Murray Armstrong

Attest:



City Clerk, Jenifer J Karsten

On motion and vote, the meeting adjourned.



Mayor, Murray Armstrong

Attest:



City Clerk, Jenifer J Karsten